

LAW OFFICES OF  
F. ROSS ADKINS  
25 PACIFIC AVENUE MALL  
SAN FRANCISCO, CALIFORNIA 94111  
TELEPHONE (415) 981-5200

(SPACE BELOW FOR FILING STAMP ONLY)

**FILED**

JUL 19 1999

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY \_\_\_\_\_

Norman La Force, Esq./#102772

Attorney for Plaintiff, CONNECTICUT GENERAL LIFE INSURANCE COMPANY

**LODGED**

JUL 10 1999

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY \_\_\_\_\_  
DEPUTY CLERK

CONNECTICUT GENERAL LIFE  
INSURANCE COMPANY

NO. CIV S-99-0119 MLS GGH

Plaintiff,

vs.

JUDGMENT OF DISMISSAL

LARRY EDWARDS, LUCIAN  
MCKINNEY LILLIAN MAE  
MCGEE, AND THE ESTATE OF  
TOMMYE JOHNSON,

Defendants.

Plaintiff Connecticut General Life Insurance Company (CGLIC) interpleaded the life insurance benefits of Johnny Johnson in the amount of \$5,000 plus any interest thereon as set forth in its complaint. The benefit is provided to him through his employer's employee welfare benefit plan which is governed by the Employee Retirement Income Security Act (ERISA), 29 U.S.C. Section 1001 et. seq. Defendant Larry Edwards made a claim for these benefits on behalf of himself and the Estate of Tommye Johnson, alleged to be the wife of Johnny Johnson. Defendant Lucian McKinney also made claim to the proceeds as heir of Johnny Johnson. Gail Moore appeared in the case to claim a lien on the proceeds. Defendant Lillie McGee also made a claim for the same proceeds.

1 All Defendants were served with the complaint in interpleader and only Lucian  
2 McKinney answered the complaint. Lillian McGee did not answer and has disclaimed  
3 all right or interest in the insurance proceeds. Larry Edwards as executor of the estate  
4 of Tommye Johnson for himself and any heirs, legatees, assigns, successors, or others  
5 claiming any interest in the estate of Tommye Johnson did not answer the complaint  
6 and has disclaimed all rights or interest in the insurance proceeds.

7 It was further claimed that Johnny Johnson had a daughter who left the family  
8 in or around 1972 and has never been seen or heard from since. The parties hereto  
9 have exercised due diligence in attempting to locate this daughter, but it is unknown  
10 where she is or whether she is still alive. Therefore, the Court orders, adjudges, and  
11 decrees as follows:

12 1. Plaintiff Connecticut General Life Insurance Company (CGLIC) is  
13 discharged from any and all liability to all of the Defendants, to the lien claimant Gail  
14 Moore, and to each of them, and to any unnamed and unknown claimants or heirs,  
15 including the daughter of Johnny Johnson, with regard to the claim that may be made  
16 against the life insurance proceeds interpleaded in this action.

17 2. This action shall be dismissed with prejudice in favor of Plaintiff and  
18 against Defendants and the lien claimant as set forth below with each Defendant and  
19 the lien claimant bearing his or her own costs and attorneys' fees.

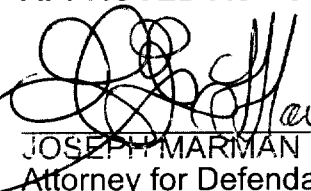
20 3. Plaintiff is awarded \$1,250.00 (twelve hundred and fifty dollars) as  
21 payment for attorney's fees and costs, said sum to be deducted from the policy  
22 proceeds and the Clerk of the Court is directed to issue a draft in that amount and  
23 payable to Connecticut General Life Insurance Company and mailed to Plaintiff's  
24 counsel.

25 4. The Clerk of the Court shall issue a further draft for the remaining amount  
26 made out to Lucian McKinney and Gail Moore and their attorney of record Joseph  
27 Marman and mailed to Mr. Marman's address.  
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1  
2 DATED: 7/19/99

3   
4 Judge, United States District Court

5  
6 APPROVED AS TO FORM:

7   
8 JOSEPH MARMAN  
9 Attorney for Defendant  
10 Lucian McKinney and  
11 Lien Claimant  
12 Gail Moore  
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United States District Court  
for the  
Eastern District of California  
July 19, 1999

\* \* CERTIFICATE OF SERVICE \* \*

2:99-cv-00119

Connecticut General

v.

Edwards

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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

That on July 19, 1999, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office, or, pursuant to prior authorization by counsel, via facsimile.


Norman Charles LaForce  
Law Office of Norman LaForce  
25 Pacific Avenue Mall  
San Francisco, CA 94111

MP/MLS

VC/GGH

Joseph H Marman  
Law Office of Joseph H Marman  
6060 Sunrise Vista  
Suite 1825  
Citrus Heights, CA 95610-7004

Jack L. Wagner, Clerk

BY:   
Deputy Clerk